



United States
General Accounting Office
Washington, D.C. 20548

Putnam

Office of the General Counsel

B-232076

October 12, 1988

Mr. Donnie R. Garrard
Owner
Garrard Roofing & Guttering
Post Office Box 886
Fort Campbell, Kentucky 42223

Dear Mr. Garrard:

Subject: Garrard Roofing & Guttering
Contract No. DAKF23-85-C-0094
DOL File No. IV-KY-87-2

The Assistant Administrator, Employment Standards Administration, United States Department of Labor, by letter dated July 20, 1988, recommended to our Office that Garrard Roofing & Guttering, and Donnie R. Garrard, individually and as owner of Garrard Roofing & Guttering, be placed on the ineligible bidders list for violations of the Davis-Bacon Act, 40 U.S.C. §§ 276a to 276a-5 (1982), with respect to the above-referenced contract.

We concur with the Assistant Administrator's recommendation. The Davis-Bacon Act provides that the Comptroller General is to debar persons or firms whom he finds have disregarded their obligations to employees under the Act. 40 U.S.C. § 276a-2. Our review of the record confirms that there were substantial violations in this case which constitute a disregard of obligations to employees with respect to the minimum wage provisions of the Davis-Bacon Act.

Accordingly, Garrard Roofing & Guttering, and Donnie R. Garrard, individually and as its owner, will be included on a list to be distributed to all departments of the government. Pursuant to statutory direction at 40 U.S.C. § 276a-2, no contract shall be awarded to them or to any firm, corporation, partnership, or association in which they, or any of them have an interest until 3 years have elapsed from the date of publication of such list.

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The prime contractor, Eulyn Co., Inc., has paid the back wages in the amount of \$7,070.62 due the underpaid employees of the subcontractor, Garrard Roofing & Guttering.

Sincerely yours,

Robert L. Higgins

For

Henry R. Wray
Associate General Counsel

cc: Sylvester L. Green, Director
Contract Standards Operations
U.S. Department of Labor
Room S3518
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Mr. Oliver W. Krueger
Associate Director/GGD - Claims Group